

REMARKS

5 This Amendment is made in response to the Office Action mailed 09 July 2003 and is filed prior to the two-month response date of 09 September 2003.

Claims 1-30, and 37-69 are pending. Claims 1-30, 46, 47, 49058, 60-61, and 63-64 are allowed. Claims 37-45, 48, 59, 62, and 65-69 are rejected.

10 Claims 37-45, 48, 59, and 62 are rejected under 35 U.S.C. 112, second paragraph. Rejection of claims 37-45 stems from an issue with the phrase "such that the light source" in cline 10 of claim 37. Claims 38-48 are dependent from claim 37 directly or via an intermediate claim. Applicant has replaced the phrase "such that the light source" with --such that the light source is located proximate the tip of the optical fiber--and trusts that the rejection of all of claims 37-45 will be withdrawn. Similar language appeared in an earlier version of the claim and appears to have inadvertently been deleted and no new matter has been introduced.

15 Claims 48 and 59 are rejected based on the recitation of the phrase "a six-axis alignment" in the first line of each of the claims. The Examiner suggests that there is insufficient antecedent basis for this limitation in the claims. Applicant does not completely understand the basis for this rejection as the limitation of "a six-axis alignment" is newly added to Claims 48 and 59 and does not appear to require any antecedent basis. However, in an attempt to move the status of
20 the claims to allowance, Applicant has amended the claim to perhaps clarify the relationship between the six-axis alignment and the elements recited in Claims 1 and Claim 26 from which Claims 48 and 59 respectively depend.

25 Claim 48 now recites the limitation that "The apparatus of claim 1, wherein the substantially tubular interface allows a six-axis alignment to an arbitrary level of alignment accuracy between the tip of the optical fiber and the light source." Perhaps it is now more apparent that it is the "substantially tubular interface" that is now required to allow "a six-axis alignment to an arbitrary level of alignment accuracy" and that that alignment accuracy is achieved "between the tip of the optical fiber and the light source."

30 Claim 59 has been amended to recite "The interface structure of claim 26, wherein the interface structure allows a six-axis alignment between the laser diode and the optical fiber tip to an arbitrary level of accuracy." to clarify the nature of the alignment. Claim 26 has also been amended although Applicant respectfully submits that no amendment to Claim 26 was required

for the purpose of patentability, to recite "the interface structure having" in line 2 to remove any issue associated with the use of "interface structure" in the preamble of line 1, and the use of "the interface" in line 2 of the claim.

With these amendments and remarks Applicant trusts that claims 48 and 59 are now in
5 condition for allowance.

Claim 62 was rejected on the basis that there was insufficient antecedent basis for the limitation "said plurality of access slots". Applicant has amended Claim 62 to depend from Claim 29 rather than from Claim 26, and submits that Claim 29 provides the required antecedent basis for this limitation.

10 Claims 65-69 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,631,987 to Lasky et al. Without admitting the propriety of the rejection and in recognition of the final nature of the rejection and the limitations for amendment and argument that might raise new issues that would require further search of consideration, applicant has amended claim 65 to further require that "wherein said fiber holder is adjustable within said tubular member along
15 three perpendicular axes and is movable along said longitudinal axis such that a distal end of said optical fiber retained by the tubular member is positionable along a plane defined by and within said second end of said tubular member." This addition of this limitation that the fiber holder is "adjustable within said tubular member along three perpendicular axes" and that the optical fiber is "retained by the tubular member" provides a claim having all of the distinguishing features
20 identified by the Examiner in the statement of reasons for allowance for claims 1-25, 37-5, and 47-55 (See page 4 of paper 10).

Further Remarks

25 Applicant submits that the Claims as amended are supported by the application as filed and do not add new matter.

For the reasons given above, Applicant respectfully submit that the claims, as amended, are now in a condition for allowance, and allowance at an early date would be appreciated.
30 Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (650) 494-8700 to discuss the same so that any outstanding issues can be expeditiously resolved.

The Commissioner is authorized to debit any fees associated with this Communication to Deposit Account 50-2319 (Matter No. A-69888/RMA), including fees for any added claims or fees for Petition for Extension of time that may be required.

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Respectfully submitted,

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